

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ADDICTION & DETOXIFICATION)	
INSTITUTE, LLC, a New Jersey Limited)	
Liability Corporation)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 13-9271
)	
PETER COLEMAN, an individual, THE)	Hon. Joan B. Gottschall
COLEMAN INSTITUTE, LLC, a Virginia)	Magistrate Judge Maria Valdez
Limited Liability Company, and)	
BEHAVIORAL HEALTH CARE)	
ASSOCIATES, LTD., an Illinois)	
Corporation,)	
)	
Defendants.)	

**DECLARATION OF SCOTT BARNETT IN SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT**

I, Scott Barnett, declare and state as follows:

1. I am a member of the bar of the State of Illinois and am admitted to practice before this Court. I am an associate at the law firm of Troutman Sanders LLP, and counsel for defendants Peter Coleman, The Coleman Institute, LLC and Behavioral Health Care Associates, Ltd. As such, I am fully familiar with the facts and circumstances stated herein. My business address is 55 W. Monroe St., Suite 3000, Chicago, Illinois, 60603. I make this declaration based on my own personal knowledge and would testify to the matters stated herein under oath if called upon to do so.

2. Attached as Exhibit A is a true and correct copy of United States Patent No. 5,789,411, entitled "Improvements to Rapid Opioid Detoxification," issued on August 4, 1998.

3. Attached as Exhibit B is a true and correct copy of the prosecution history of United States Patent No. 5,789,411 before the United States Patent and Trademark Office.¹

4. Attached as Exhibit C is a true and correct copy of excerpts from the Initial Decision of ALJ Jeff S. Masin decided November 15, 2002 in the case *Samson v. Gooberman* (OAL DKT. NO. BDS 10905-99S).

5. Attached as Exhibit D is a true and correct copy of the First Complaint (Dkt. #1) filed December 27, 2013.

6. Attached as Exhibit E is a true and correct copy of Plaintiff's Motion for Leave to File the First Amended Complaint and the First Amended Complaint (Dkt. #6) filed February 19, 2014.

7. Attached as Exhibit F is a true and correct copy of Plaintiff's Initial Infringement Contentions Pursuant to Local Patent Rule 2.2 served upon counsel for defendants on July 3, 2014.

8. Attached as Exhibit G is a true and correct copy of Defendants' Response to Plaintiff's Initial Infringement Contentions Pursuant to Local Patent Rule 2.3 served upon counsel for plaintiff on July 21, 2014.

9. Attached as Exhibit H is a true and correct copy of Defendants' Answer to the First Amended Complaint, Defenses, and Counterclaims (Dkt. #12) filed April 14, 2014.

¹ Exhibit B has been annotated to include sequential page numbers to assist the Court in locating citations to the prosecution history. Exhibit B has not been altered in any other manner.

10. Attached as Exhibit I is a true and correct copy of a letter from counsel for defendants to counsel for plaintiff mailed July 22, 2014.

11. Attached as Exhibit J is a true and correct copy of a letter from counsel for defendants to counsel for plaintiff mailed August 14, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 17, 2014.

/s/ Scott Barnett
Scott Barnett (#6299043)
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*Attorney for Defendants Peter Coleman,
The Coleman Institute, LLC, and
Behavioral Health Care Associates, Ltd.*

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on this 17th day of October, 2014, the foregoing ***Declaration of Scott Barnett*** was served upon all counsel of record via the Court's electronic case filing system pursuant to Local Rule 5.9, and is available for viewing and downloading on the Northern District's PACER system.

/s/ Robert E. Browne, Jr.

Robert E. Browne, Jr.